



MEETING MINUTES
CITY OF LA VISTA PLANNING COMMISSION
8116 PARK VIEW BOULEVARD, LA VISTA, NE 68128
P: (402) 593-6400

THURSDAY, SEPTEMBER 1, AT 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, September 1, 2022, in the Harold “Andy” Anderson Council Chambers at La Vista City Hall, 8116 Park View Boulevard. Legal notice of the public meeting and hearing were posted, distributed, and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public. The following Planning Commission members were present and absent:

PRESENT: Mike Krzywicki, Gayle Malmquist, Jason Dale, Kathleen Alexander, Patrick Coghlan, Austin Partridge, and Kevin Wetuski

ABSENT: John Gahan, Harold Sargus, and Mike Circo

STAFF PRESENT: Bruce Fountain, Community Development Director; Christopher Solberg, Deputy Community Development Director; Meghan Engberg, Permit Technician; and Pat Dowse, City Engineer.

1. Call to Order

The meeting was called to order by Vice-Chair Alexander at 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes From May 19, 2022

Motion: *Krzywicki* moved, seconded by *Wetuski*, to **approve** the May 19th, 2022, minutes.

RESULT:	Motion carried 6-1
MOTION BY:	Krzywicki
SECONDED BY:	Wetuski
AYES:	Coghlan, Dale, Krzywicki, Alexander, Malmquist, Wetuski
NAYS:	None
ABSTAINED:	Partridge
ABSENT:	Sargus, Circo, Gahan

3. Old Business

None.

4. New Business

Vote to Switch Agenda Items

i. Recommendation:

Motion: Krzywicki moved, seconded by Wetuski, to switch agenda items.

RESULT:	Motion carried 7-0
MOTION BY:	Krzywicki
SECONDED BY:	Wetuski
AYES:	Coghlan, Dale, Krzywicki, Alexander, Malmquist, Wetuski, Partridge
NAYS:	None
ABSTAINED:	None
ABSENT:	Sargus, Circo, Gahan

A. Conditional Use Permit – Multiple Family Dwellings – Lot 2 Cimarron Woods Replat Three (southeast of the intersection of S. 99th Street and Josephine Street)

i. Staff Report – Chris Solberg, Deputy Community Development Director: Solberg said the applicant, Pedcor LLC, is requesting a conditional use permit for Phase 3 of the Cimarron Terrace Apartments to allow for the construction of 7 additional multi-family apartment buildings with a total of 138 units. The location of the project is southeast of the roundabout at the intersection of S 99th Street, Josephine Ave., and Josephine Street, generally southwest of the intersection of S 96th Street and Harrison Street.

Solberg mentioned that in 2010, the applicant came forward with PUD and conditional use permit applications to start construction of this overall apartment complex. The PUD set forth a site plan that called for all 3 of these phases, the construction of these buildings, and accounted for the traffic generated by the development. In 2011, the applicant obtained the conditional use permit for phase 2 of the apartment complex.

Staff's recommendation is for approval of the Conditional Use Permit for the Cimarron Terrace Apartments Phase 3, subject to satisfaction of all applicable requirements, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

ii. Public Hearing: Co-Chair Alexander opened the Public Hearing.

Turner Lesnick delivered a presentation to the Commission and members of the public about Pedcor's operation and the Cimarron Terrace project. Lesnick discussed the history of the Cimarron Terrace project. He spoke about the shared detention pond, parking lot, amenities, and clubhouse over all 3 phases. Lesnick mentioned that phase 3 has 6 fewer units than what was originally approved and that like the other phases, is 100% income-qualified. Lesnick showed renderings of the units.

Brooke Schrock spoke about her concerns dealing with sound, lighting, sight barriers, as well as landscaping, traffic, and environmental concerns. She also requested that a barrier fence be put up between the apartment complex and trail.

Steve Schrade, president of Cimarron Woods Villas, said that the biggest concerns that have been brought up to him are the safety and security of the residents as well as the additional number of people that will be using the trail and splash pad once the apartments are built.

Jay Ferris brought up a letter that was sent to Chris Solberg from Brett Conyers referencing that traffic study that was done in 2008 and 2009 and spoke about the fact the traffic has increased since then. He asked for an updated traffic study to be done. He also asked for additional landscaping or a decorative fence to be placed along the back of the development.

Vicki Quaites-Ferris spoke about her concerns regarding the safety, home value, livability of the existing neighborhood. In reviewing the documents, she felt that the City was only concerned about the plans fitting in with the Comprehensive Plan and not with how the development would affect the existing residents of the Subdivision.

Dale Rozmiarek said that he is concerned about the additional concrete, and the impact of the stormwater runoff back to the creek, and how it will affect the wetlands.

Phil Secan inquired about the possibility of additional access to ease some of the traffic concerns pertaining to the roundabout.

Karen Beard said she is concerned about the influx of people that will be using the trail once the new development is built, and her concern about people who are speeding through the roundabout.

Dan Balis talked about how the additional concrete will add more water runoff and contribute to the flooding of the lower part of the Subdivision that is by the creek.

Jay Ferris came back to the podium to speak about his concerns about the roundabout traffic, and flooding due to runoff.

Vicki Quaites-Ferris came back to the podium and spoke about her concern with the narrowness between her property, the road, and the proposed development.

Dan Balis came back to the podium and mentioned that Pedcor owned the land that the flooding occurred on and would not let the SID come and clean up the clog that was causing the area to flood.

Turner Lesnick addressed the concerns of the residents.

Krzywicki inquired about the landscaping plan and if there was a fence being shown on the southwest corner of the interior road.

Lesnick said it's a 4-5' retaining wall that will have a fence on top of it.

Krzywicki mentioned the concern brought up about putting a fence on the interior road to protect a pedestrian on the walking trail from oncoming traffic and asked if there was any possibility of one being put in.

Lesnick said that hasn't been discussed but mentioned that they had a conversation with City staff on the importance of their site being connected via ADA access points to the trail, and not being cut off by a barrier.

Todd Hinku, talked about the limited space between the street and the walking trail and his concern for the safety of pedestrians.

Larry Jobeun, attorney for the developer, mentioned that the trail is a public trail and is there for the public in its entirety, including the residents of the apartment complex. He spoke about the proximity of the trail and the private road and said that there should be no safety concerns. He also talked about the fact that this development has already been approved through the PUD and the only thing that has changed are the number of units, which have decreased.

Tom Belt spoke about how he feels the proposed development looks like it's too much for the area, and he feels that another apartment complex is unnecessary.

Karen Beard spoke about the need for a landscaping buffer between the complex and subdivision.

Steve Schrade discussed his concerns regarding the public walking trail, the proximity of the public road, and motorized vehicles going on the trail.

Vice-Chair Alexander closed the Public Hearing.

Dale asked if the applicant could explain the stormwater runoff and what is going to be done in the new development to contain the runoff from the concrete that is being added.

Brett Conyers, the project's engineer, said that in the center of the development is a stormwater retention basin that was sized to handle the runoff from the fully developed apartments. It does not handle the stormwater treatment, so they will be installing mechanical devices to treat the stormwater.

Krzywicki mentioned that the landscaping plan is in the packet and that there are a significant number of trees that will be planted along the development.

Coghlan brought up the walking trail and the request to have a fence put up to keep pedestrians safe from street traffic and asked if there was a compromise that could be reached so that people are safe and residents living at the complex could still access the trail.

Larry Jobeun said that his understanding is that the trail has been in a public easement for a long time and the proposed private drive for the phase 3 apartments has always been in that location, so it's tough to move it. He said that it's not any different than a sidewalk along a public street, but would be willing to look at anything that may be done regarding safety.

Partridge asked what the construction timeline looked like.

Conyers said that they are contemplating construction starting in the summer of 2023 and being finished in the summer of 2024. He also mentioned that the plans for the private drive show speed bumps and a 6" curb.

Coghlan said that a lot of concerns have been brought up, and he suggested tabling the item so the HOA and developer could meet and talk about the concerns.

Conyers said that there was public discussion held for the first 2 phases, and there were no major concerns brought up then.

Fountain mentioned that this is not the final vote for this item, that it is a recommendation to the City Council and there will be a public hearing there as well.

iii. Recommendation:

Motion: Malmquist moved, seconded by Krzywicki, for **approval** of the Conditional Use Permit for the Cimarron Terrace Apartments Phase 3, subject to satisfaction of all applicable requirements, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

RESULT:	Motion carried 5-2
MOTION BY:	Malmquist
SECONDED BY:	Krzywicki
AYES:	Dale, Krzywicki, Malmquist, Alexander, Partridge
NAYS:	Coghlan, Wetuski
ABSTAINED:	None
ABSENT:	Sargus, Circo, Gahan

B. 2022 Ballot Referendums Discussion – Brenda Gunn, City Administrator

Brenda spoke to the Planning Commission about the two sales tax initiatives that will be on the ballot this upcoming election.

5. Comments from the Floor

None.

6. Comments from the Planning Commission

Krzywicki said that he went on the City website to see if there was any place for road project updates and couldn't find anything. He asked if there was a way to put something on the website so that people could easily see what was going on.

Dowse said that it's something they can look into doing.

Solberg said that they may be able to create a map showing major road projects.

Krzywicki asked if the Nebraska Multi-Sports Complex was still looking at hosting a tournament this fall.

Fountain said that they are wanting to host a tournament at the end of September, and staff are trying to get more information in their bi-weekly meetings.

Krzywicki asked if it was the creek or railroad that cuts through that property and asked if there was any way to put something there for pedestrian access.

Fountain said there is a plan to put pedestrian access under the railroad bridge.

7. Comments from Staff

Solberg mentioned the NPZA Conference and encouraged those wanting to attend to reach out to get signed up to attend.

Solberg said the next meeting will be October 6th.

8. Adjournment

Alexander adjourned the meeting at 8:16 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair